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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,245	10/17/2003	Michiko Mizoguchi	FUJR 20.683	2482

26304 7590 02/27/2007
KATTEN MUCHIN ROSENMAN LLP
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NEW YORK, NY 10022-2585

EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT	PAPER NUMBER
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2621

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/688,245

Applicant(s)

MIZOGUCHI, MICHIKO

Examiner

Andy S. Rao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>11/16/03</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Aharoni et al., (hereinafter referred to as "Aharoni").

Aharoni discloses data transmission device (Aharoni: figures 1 and 15) for generating a plurality of compressed/encoded data of different bit rates from a single video signal (Aharoni: column 10, lines 50-65) and simultaneously transmitting the compressed/encoded data onto a network (Aharoni: column 18, lines 1-25), comprising: a synchronizing signal detection section for detecting a synchronizing signal from the video signal input thereto (Aharoni: column 12, lines 55-67); a plurality of compressing/encoding sections (Aharoni: column 18, lines 25-35) for compressing/encoding the video signal to generate data streams of different bit rates, respectively (Aharoni: column 11, lines 1-15); a timing control section for controlling said compressing/encoding sections in accordance with the detected synchronizing signal such that

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timings for starting compression/encoding processes in said compressing/encoding sections are shifted from one another in units of frame (Aharoni: column 13, lines 1-10); and a multiplexing section for sequentially multiplexing the data streams generated respectively by said compressing/encoding sections and transmitting the multiplexed data onto the network (Aharoni: column 8, lines 10-25), as in claim 1.

Regarding claim 2, Aharoni discloses wherein the input video signal comprises an NTSC composite signal, and said synchronizing signal detection section detects a vertical synchronizing signal and a color synchronizing signal from the NTSC composite signal (Aharoni: column 8, lines 45-55), as in the claims.

Regarding claims 4-5, Aharoni discloses wherein said multiplexing section generates fragmented packets carrying the individual data streams in accordance with amounts of data generated per unit time by said compressing/encoding sections, respectively, and transmits the fragmented packets at equal intervals within the unit time (Aharoni: column 12, lines 45-67), as in the claims.

Regarding claim 6, Aharoni discloses wherein said reference amount can be set to a desired value (Aharoni: column 13, lines 50-67; column 14, lines 1-11), as in the claim.

Aharoni discloses data transmission method (Aharoni: figures 11.1, 11.2, 12.1, 12.2, 13-14) for generating a plurality of data streams of different bit rates (Aharoni: column 10, lines 50-65) by compressing/encoding a single video signal and for simultaneously transmitting the data streams onto a network (Aharoni: column 18, lines 1-25), comprising the steps of: detecting a synchronizing signal from the input video signal (Aharoni: column 12, lines 55-67); shifting start timings for compression/encoding processes corresponding to the generation of the respective

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data streams from one another in units of frame in accordance with the detected synchronizing signal (Aharoni: column 13, lines 1-10); and generating fragmented packets carrying the individual data streams in accordance with amounts of data generated per unit time by the respective compression/ encoding processes (Aharoni: column 12, lines 45-67), and transmitting the fragmented packets onto the network at equal intervals within the unit time (Aharoni: column 8, lines 10-25), as in claim 7.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Andy S. Rao
Primary Examiner
Art Unit 2621

asr

February 15, 2007

ANDY RAO
PRIMARY EXAMINER